

DECLARATION FOR PATENT APPLICATION

Inventor(s): Amir Michael Fuhrmann, Selim Shlomo Rakib and
Yehuda Azenkot

Docket No. TER-004.2P

As a below-named inventor, I (We) hereby declare that:

My correct residence, post office address and citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled: DATA TRANSMISSION USING ATM OVER HYBRID FIBER COAX.

The specification of this subject matter:

☒ is attached hereto.

☐ was filed on _____;

was assigned serial No. _____;

which was amended on _____.

I hereby state that I have reviewed and understand the contents of the above identified patent application, including the claims, as amended by any amendment(s) referred to above. I believe the subject matter claimed in the above-identified application to be new and to be unobvious to persons of ordinary skill in the art in view of the prior art of which I am aware. I further hereby state that the specification of the above identified patent application adequately describes how to make and use the claimed invention, and further that it sets forth the best mode for practicing the invention known to me as of the date that the application was filed. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56. I further acknowledge the duty to disclose information known to me to be material under 37 C.F.R. 1.56 to the examination of the claims in any continuation-in-part application filed under the conditions specified in 35 U.S.C. Section 120 which became available between the filing date of the prior application or the national or PCT international filing date and the filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below

any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Application No.	Country	Filing Date	Priority Claimed
PCT/US96/12391	PCT	07/25/96	YES
PCT/US97/03984	PCT	03/12/97	YES

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
08/519,630	08/25/95	Allowed
08/588,650	01/19/96	Pending
08/616,071	03/14/96	Pending
08/684,243	07/19/96	Pending
08/760,412	12/04/96	Pending

FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial(s)	LAST Name
AMIR		MICHAEL	FUHRMANN

RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship
SANTA CLARA		CALIFORNIA, U.S.A.	U.S.A.

POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
444 SARATOGA AVE. #15G		SANTA CLARA	CALIFORNIA	95050

FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial(s)	LAST Name
SELIM		SHLOMO	RAKIB

RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship
CUPERTINO		CALIFORNIA, U.S.A.	ISRAEL

POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
10271 WEST ACRES		CUPERTINO	CALIFORNIA	95014

FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial(s)	LAST Name
YEHUDA			AZENKOT

RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship
CUPERTINO		CALIFORNIA, U.S.A.	ISRAEL

POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
1128 LITTLEOAK CIRCLE		SAN JOSE	CALIFORNIA	95129-3137

Docket Number IEB-004.2P

PATENT

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Ronald C. Fish (28,843)

Address all telephone calls to Ronald C. Fish at telephone no. (408) 778-3624

Address all correspondence to Ronald Craig Fish

Falk, Vestal & Fish
16590 Oak View Circle
Morgan Hill, California 95037
U.S.A.
FAX No. (408) 776-0426

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor 1	Date	Signature of Inventor 2	Date
<u>Yehuda Azarkot</u>	<u>12/23/98</u>		
Signature of Inventor 3	Date		

I hereby certify that this correspondence as being deposited with the United States Postal Service as express mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington D.C., 20231, on 12/23
19 98 Express Mail Receipt No. EM 429087494US

12/23/98 Ronald C. Fish
Date of Signature

Declaration for Patent Application

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TEL: 408-776-0426

FALK, VESTAL, FISH

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09/214158

Docket Number TER-004.2P

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Signature of Inventor 1 _____ Date _____

Signature of Inventor 2 _____ Date 12/17/98

Signature of Inventor 3 _____ Date _____

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12/23/98 Date of Signature Ronald C Fish

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Art Unit: unknown
)
Amir Michael Fuhrmann) Examiner: unknown
Selim Shlomo Rakib)
Yehuda Azenkot) Docket No: TER-004.2P
)
Serial No.: unknown)
)
Filed: herewith)

For: DATA TRANSMISSION USING ATM OVER HYBRID FIBER COAX

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS (37 C.F.R. 1.9(f) and 1.27(c))
SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern identified below and empowered to act on its behalf.

NAME OF BUSINESS: TERAYON COMMUNICATION SYSTEMS

ADDRESS OF BUSINESS: 2952 Bunker Hill Lane, Santa Clara, California 95054

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled:

DATA TRANSMISSION USING ATM OVER HYBRID FIBER COAX

by inventor(s): Amir Michael Fuhrmann, Selim Shlomo Rakib and Yehuda Azenkot
described in:

- ☒ the specification filed herewith
- ☐ application Serial No. _____, filed _____
- ☐ patent No. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than an inventor who qualifies as an individual inventor pursuant to 37 C.F.R. §1.9(c), who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).*

*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which the verified statement is directed.

SELIM SHLOMO RAKIS

PRESIDENT

Name of Person Signing

Title of Person Signing

2852 BUNKER HILL LANE, SANTA CLARA, CALIFORNIA 95054

Address of Company

Signature

Date

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Express Mail Receipt Number EM 42908749415

Ronald C. Fish
Ronald Craig Fish, President
Ronald Craig Fish & Law Corporation
Reg. No. 28,843